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Attorneys for Defendants  
BLUEHIPPO FUNDING, LLC and  
BLUEHIPPO CAPITAL, LLC

20 ROYLENE RAY, KELLY CANNON,  
21 KARLA HODGES and LAKETA  
COULTER et al., individually and on  
behalf of others similarly situated..

Plaintiffs.

VS.

24  
25 BLUEHIPPO FUNDING, LLC,  
BLUEHIPPO CAPITAL, LLC and  
GATEWAY, INC..

## Defendants.

Case No. C-06-1807 JSW EMC

**JOINT REQUEST OF ALL PARTIES FOR  
THIRTY DAY STAY OF DEADLINES TO  
PERMIT PREPARATION OF  
DOCUMENTATION FOR CLASS  
ACTION SETTLEMENT**

## AND ORDER THEREON

Trial Date: February 1, 2010

1 Plaintiffs Roylene Ray, Kelly Cannon, Carla Hodges Laketa Coulter, Linda Pullum,  
 2 Mayra Ayar, Esperanza Ochoa and Janis Shoemaker (collectively "Plaintiffs"), defendants  
 3 BlueHippo Funding LLC, BlueHippo Capital, LLC (collectively "BlueHippo") and defendant  
 4 Gateway, Inc. ("Gateway"), by and through counsel, hereby stipulate as follows and respectfully  
 5 request the Court to enter the accompanying proposed order:

6 1. The parties reached a settlement in principle of all claims and issues in this  
 7 litigation on January 27, 2009 with the able and much appreciated assistance of the Honorable  
 8 Joseph C. Spero.

9 2. Because the settlement will include resolution of class claims, the settlement terms  
 10 will need to be submitted to the Court for preliminary approval and ultimately for final approval.  
 11 Preparation of the stipulation of settlement and the accompanying documents for preliminary  
 12 approval will require the input and review of several parties and their counsel as well as  
 13 verification of various customer data.

14 3. So as to permit them to complete these tasks, the parties respectfully request that  
 15 the Court: (1) vacate the hearing on BlueHippo's currently pending motion to dismiss (set for  
 16 February 20, 2009), suspend further briefing and withhold any decision on that motion; (2)  
 17 suspend all deadlines in connection with the class certification briefing and hearing (Plaintiffs'  
 18 motion is currently due on February 19, 2009 and a hearing is set for April 3, 2009); and (3)  
 19 temporarily stay, for a period of thirty (30) days, all litigation activity in the case unnecessary to  
 20 the preparation of the stipulation of settlement and preliminary approval papers (various  
 21 depositions of the class representatives and other discovery issues are scheduled over the next few  
 22 weeks in anticipation of the class certification motion deadlines). This will reduce unnecessary  
 23 burden on the Court and avoid the unnecessary expenditure of the parties' funds and resources  
 24 that can otherwise be used for settlement. Moreover, the parties' counsel wish to focus on  
 25 drafting the required settlement documents rather than engaging in continued litigation efforts  
 26 which, in all likelihood, will prove to be unnecessary.

27 4. The parties will either present the proposed settlement to the Court for preliminary  
 28 approval within 30 days or inform the Court of the status of the matter and request appropriate

1 scheduling changes at that time. The parties are motivated to complete the settlement documents  
2 and will work diligently toward that end.

3 SO STIPULATED.

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5 Dated: January 28, 2009.

BRAMSON, PLUTZIK, MAHLER &  
6 BIRKHAEUSER, LLP

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By: \_\_\_\_\_/s/  
Robert M. Bramson

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1 Dated: January 28, 2009.

FARELLA BRAUN & MARTEL LLP

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By: \_\_\_\_\_/s/  
C. Brandon Wisoff

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Attorneys for Defendants  
BLUEHIPPO FUNDING, LLC and  
BLUEHIPPO CAPITAL, LLC

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*I hereby attest that I have received authority  
from the other counsel signatories to file this  
document.*

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[Signatures Continued on Next Page]

Dated: January 28, 2009

QUINN EMANUEL URQUHART OLIVER  
& HEDGES

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By: \_\_\_\_\_/s/  
Jeffrey D. McFarland

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Attorneys for Defendant  
GATEWAY, INC.

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### **[PROPOSED] ORDER**

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In accordance with the above stipulation and for good cause shown, IT IS SO ORDERED.

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Dated: January 29, 2009.

  
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Jeffrey S. White, U. S. District Judge

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